

### **REMARKS**

This application contains claims 1-39 and 41-46, with claims 1, 14, 27, and 41 being independent. This amendment should be entered because it places the application in condition for allowance or in better condition for appeal.

#### **Rejection Under 35 U.S.C. §112**

Claims 1, 14, 27 and 41 are rejected under 35 U.S.C. §112 for being unclear. Though the claims previously did not expressly state that the first user and the second user each has an identity in a shared private space, the Examiner interpreted the claims in this fashion. The claims have been amended consistent with the Examiner's interpretation. Because these amendments reflect what was understood to be in the claim previously, they do not alter the scope of the claim or add new matter. Other minor clarifying amendments have been made, but these amendments do not alter the scope of the claims or add new matter.

#### **Rejections Under 35 U.S.C. §103**

Claims 1-39 and 41-46 are rejected under 35 U.S.C. §103 based on Peinado in view of Huitema. Applicants respectfully disagree. Peinado and Huitema do not establish a *prima facie* case of obviousness because there is no motivation to combine the references. Additionally, Peinado and Huitema do not establish a *prima facie* case of obviousness because, even if combined, the references do not teach every limitation of the claims.

First, Applicants contend that Peinado and Huitema may not be properly combined. Peinado relates to a digital rights management system. As described, for example, at column 1, lines 64-65, a goal of the digital rights management system is to restrict a first user from providing content to a second user or to at least impose restrictions on the use of that content if it is provided to the second user. The digital rights management system includes a content server 22 (FIG. 1) and a license server 24 (FIG. 1). The second user cannot use content transmitted by the first user without obtaining a license from the license server (see, col. 3, lines 20-23).

In contrast, Huitema teaches a method for server-less peer-to-peer group management (see, e.g., Abstract, paragraph 104). One of skill in the art would not be motivated to incorporate the

digital rights management system of Peinado – which requires at least one server – into the system of Huitema – which is taught provide server-less peer-to-peer group management.

Second, even if the references were combined, they would not teach all of the limitations of the claims. Neither reference teaches the limitation “sending a request from a management server to the first user to become a managed entity.” The Examiner asserts that this limitation is described at column 7, lines 14-25 and col. 11, lines 40-60 of Peinado. Applicants respectfully disagree. Column 7, lines 14-25 describes the creation of a digital content package. This step does not involve any request sent from a management server to a user. The passage at column 11, lines 40-60 describes a request received at the license server (see, column 11, lines 42-43). This passage describes a flow of information that is the opposite of what is claimed. The passage describes *receiving at* a server rather than *sending from* a server, as claimed.

Further, neither reference shows the limitation “downloading from the management server to the client software a definition file containing a definition of the managed entity.” The Examiner asserts column 3, lines 55-65 of Peinado describes this limitation. However, this passage describes download and use of a license. The reference does not describe a definition file containing a definition of the managed entity.

Further, the claim recites how this definition file is used – a step also not shown in the references. Specifically, the references do not describe “associating information in the definition file with the first user identity and device information in the client software in order to create the managed entity,” as is claimed. The Examiner asserts this limitation is described at column 3, lines 24-67 of Peinado. However, this passage describes the “black box” and licenses that are provided to a user so that the user may decrypt encrypted digital content. Peinado describes that both the license and the black box are downloaded from servers (see, e.g. column 3, lines 25-44 and 55-65), meaning that they are not created by associating information in a definition file with a user identity and device information in the client software, as is claimed.

Therefore, there are multiple limitations of claim 1 that Peinado does not teach. Huitema does not teach those limitations. Huitema describes a server-less system and, therefore, cannot show or suggest limitations any limitations involving a server, such as “sending a request from a management server,” or “downloading from the management server.” Nor does Huitema describe

“associating information in the definition file with the first user identify and device information in the client software in order to create the managed entity.”

Because Peinado and Huitema do not, either alone or in combination, teach every limitation of the claim, the rejection should be withdrawn.

The rejection of claim 14 should similarly be withdrawn. For at least the reasons stated above, the references do not show or suggest “management software that sends a request from a management server to the first user to become a managed entity.” Nor do the references show “a download manager that downloads... a definition file containing a definition of the managed entity.” Further, the references do not show “a mechanism in the client software that associates the definition information with the first user identity and device information in order to create a managed user.”

The rejection of claim 27 should also be withdrawn. Neither Peinado nor Huitema shows “program code for sending a request from a management server to the first server to become a managed entity.” Nor do the references show “program code for downloading...a definition file containing a definition of the managed entity.” Nor does either reference show “program code for associating information in the definition file with the user identity and device information in the client software in order to create the managed entity.”

The rejection of claim 41 should likewise be withdrawn. The references do not show “means for sending a request from a management server to the first user to become a managed entity.” Nor does either reference show “means for downloading...a definition file containing a definition of the managed entity.” Nor does either reference show “means in the client software for associating information in the definition file with the first user identity and device information in the client software in order to create the managed entity.”

Each of the remaining claims depends from one of claims 1, 14, 27, or 41 and should be allowed for the reasons given in connection with those claims. Additionally, each of the dependent claims recites further limitations not shown or suggested in the references, providing additional reasons for allowance.

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**Conclusion**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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